

## **REMARKS/ARGUMENT**

Claim 1-14 are pending in the instant application. Claim 7 has been cancelled. No claims have been added. Therefore, upon entry of the instant amendment, claims 1-6, 8-14 will be pending.

### ***Claims Rejections – 35 USC § 102***

In order that the rejection under 35 U.S.C. §102 be sustainable, it is fundamental that “each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference.” Verdegall Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, “The identical invention must be shown in as complete detail as is contained in the ... claim”.

Furthermore, “all words in a claim must be considered in judging the patentability of that claim against the prior art.” In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Claims 7-14 and 1-6 were rejected under 35 U.S.C. §102(e) as being anticipated by Chien (US 20040203472 A1). Applicant traverses this rejection. Embodiments of the claims digitally work directly on the useful signal even the amplified noise and do not require injection of an external signal. Although one may be used during estimation of the receive mode gain and phase parameters.

Examiner quoted a phrase from claim two to rebut the Applicant. Applicant wishes to point out to the Examiner that statement was that an external is not required. Applicant respectfully assert that external test signal may be used during receive mode but not required. In transmit mode a useful signal can be used.

Chien teaches (emphasis added):

A transceiver includes a switching unit configurable for isolating an input of a receiver from an output of a transmitter during a **local calibration mode**. A **known signal** present at the output at a first power level during the **calibration mode** will also be present at the input at a second power level lower than the first power level and will be converted by the quadrature demodulator. A compensation factor is estimated for compensating the receiver section for imbalances in the in-phase and quadrature phase signals resulting from conversion of the **known** signal. Remote calibration is implemented using a method for remotely compensating for I-Q imbalance wherein a data packet having a known signal is transmitted to a receiver for conversion by a quadrature demodulator and compensation factors are estimated for compensating for imbalances in the in-phase and quadrature phase signals resulting from conversion of the **known** signal. (Abstract)

The signal process method of the Applicants is blind meaning that it does not require any information on the passband signal characteristics. A known signal or test signal is not required. Transmitters up conversion mismatches can be fixed by transmitting a signal and coupling back to the receiver, while blocking the transmission to the antenna.

Examiner states that certain features are not in the recited claims. Examiner is brushing over many limitations and Applicants respectfully remind examiner that, the court in Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920

(Fed. Cir. 1989), stated, "The identical invention must be shown in as complete detail as is contained in the ... claim". Chien describes a device and methods in calibration mode. Embodiments of the Applicants are used in normal operation in a transmit mode and uses a receive mode during power up. There is no special calibration mode needed.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

Respectfully submitted:

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